

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:12-CV-271-MR-DCK**

**TBR INTERNATIONAL, INC. and
ERANE B. DOS SANTOS,**

Plaintiffs,

v.

**LONESTAR TRADING COMPANY, LLC,
and PEDRO BARRETO,**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on what the undersigned construes as Defendant Pedro Barreto's "Motion For Extension Of Time To Complete Mediation" (Document No. 36) filed February 6, 2014. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion, with modification.

On January 9, 2014, the undersigned issued an "Order" (Document No. 32) extending the mediation deadline from January 15, 2014 to February 10, 2014. Apparently, a mediation was scheduled with the parties' chosen mediator, Mr. Kelly Johnson, for February 4, 2014. See (Document No. 28). Defendant Barreto, who is now appearing *pro se*, contends he contacted Mr. Johnson on February 3, 2014, and informed him that he would not be able to attend the mediation. (Document No. 36). According to the instant motion, Mr. Johnson has indicated that he is willing to conduct the mediation via telephone. Id.

Under the circumstances, the undersigned will allow one more extension of the mediation deadline. In addition, the undersigned will allow a mediation between Defendant Barreto and

Plaintiffs to be held via telephone or video conference, *if* that arrangement is acceptable to Mr. Johnson. If Defendant Barreto is unable to obtain counsel, he must represent himself in this matter, including completing mediation and responding to any pending motions.

IT IS, THEREFORE, ORDERED that Defendant Pedro Barreto's "Motion For Extension Of Time To Complete Mediation" (Document No. 36) is **GRANTED**. A report on the results of the parties' mediation shall be filed on or before **March 14, 2014**. Dispositive Motions are due on or before **February 21, 2014**.

IT IS FURTHER ORDERED that Defendant Lonestar Trading Company, LLC shall **SHOW CAUSE** why it has failed to file a notice of appearance of new counsel, as ordered by this Court, on or before **February 18, 2014**. See (Document No. 32). Defendant Lonestar Trading Company, LLC's failure to abide by the Orders of this Court may result in sanctions.


The Clerk of Court is directed to serve Defendants with copies of this Order via certified mail, return receipt requested, at the following addresses:

Lonestar Trading, LLC
16116 Paseo Largavista
San Lorenzo, CA 94580

Pedro Barreto
8004 N.W. 154th Street
Suite 131
Miami Lakes, FL 33016

SO ORDERED.

Signed: February 7, 2014



David C. Keesler
United States Magistrate Judge

